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Articles in Today's Clips Wednesday, December 13, 2006

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Kids are counting on food stamps

Tim Martin
Associated Press

December 13, 2006

LANSING — As Michigan's economy continues to falter, more children in Calhoun County are receiving food stamps and discounted school lunches, according to a report released Tuesday.

The annual Kids Count report, which is compiled using state and federal statistics, also shows a growing percentage of children covered by Medicaid.

Each late fall or early winter, a Kids Count report shows a county-by-county breakdown of the latest available child well-being statistics. The most recent report shows more children receiving aid, with Calhoun County's kids faring worse in some areas than other children in the state.

According to the report, 19 percent of Michigan children received food stamps in 2005, up from about 10 percent in 2000. Children in families with incomes below 130 percent of the poverty level are eligible for the assistance.

In Calhoun County, the number more than doubled, from 11 percent of children receiving stamps in 2000, to 24 percent last year.

Jim Pearl, executive director at the Volunteer Center of Battle Creek, said the area's 211 call service has seen increased activity in recent months. The service connects those in need with aid programs.

Calhoun County is like the rest of the state, according to Pearl, with "tremendous" amounts of need for some families. He chose to emphasize the positive, noting the record-breaking \$5.03 million netted by the United Way of Greater Battle Creek during its fundraiser.

"It seems the community is particularly blessed with agencies to give help," he said.

A spokesman for the local United Way declined to comment until he had time to review the data.

Granted, some of Michigan's 76 counties fared even worse. In 11 counties, 25 percent of children received food stamps in 2005. The areas were primarily concentrated in the Detroit and Flint areas, along with areas of the rural northern Lower Peninsula.

The increased reliance on taxpayer-funded programs is at least partly because of

Michigan's economy, said Jane Zehnder-Merrell, senior research associate with the Michigan League for Human Services.

The state's unemployment rate has been among the nation's highest for the past few years, and the 6.9 percent rate reported for October was the nation's highest.

"We're going through a pretty hard time," Zehnder-Merrell said. "The important thing is to protect the next generation as much as we can while families try to find their footing in a very different economic place."

Thirty-two percent of Michigan children relied on Medicaid for health care coverage in 2005, up from just over 22 percent in 2000.

Again, Calhoun County posted worse numbers than the state average. Here, 40 percent were insured through Medicaid in 2005, up from 26 percent in 2000.

The Kids Count report is put together by groups including the Michigan League for Human Services and Michigan's Children, using state and federal statistics. The report was funded by the Annie E. Casey Foundation, Skillman Foundation, Blue Cross and Blue Shield of Michigan Foundation and local United Ways.

Enquirer staff writer Andy Rathbun, 962-3380, and Associated Press Writer David Eggert contributed to this report.

KALAMAZOO GAZETTE

Budget cuts must spare Michigan kids

Wednesday, December 13, 2006

When the state's economy is bad, the ones who are hurt the most are children.

That's the conclusion of the most recent Kids Count in Michigan report, released Tuesday.

Current statistics about children living in poverty or suffering abuse and neglect are mixed.

The percentage of children relying on government assistance for the basics -- such as food and health care -- has grown. The percentage of children growing up in families eligible for food stamps last year was 20 percent. Six years earlier, it was 10 percent.

The percentage of children eligible for Medicaid has shot up to 32.1 percent, from 20 percent in 1999.

The statistics are part of an annual national assessment of the state of America's children. The assessment in Michigan is backed by the Michigan League for Human Services and Michigan's Children, two advocacy groups.

Not everything in the report was bleak.

Michigan's children may be getting poorer, but apparently the state's safety net is still mostly secure. The number of children who had adequate prenatal care has increased since 1995. And the number of births to teenage mothers also fell during the same period.

The report said the number of confirmed child victims of neglect and abuse is up, however. But it's hard to know if that's because state workers are more diligent on abuse and neglect cases or if the incidence rate is higher.

Next year, when the Granholm administration and the Legislature grapple with yet another state revenue shortfall and executive-order budget cuts, we hope they'll spare the state's most vulnerable.

That won't be easy to do. Given the economic situation, state resources to continue services to poor children are declining at the same time children's needs are escalating.

The mounting needs of poor, abused and neglected children also point to the problem of putting a lifetime limit on how long Michigan residents can receive welfare. Michigan's economy has always been a roller-coaster, especially in the manufacturing sector.

Families supported by manufacturing jobs may find themselves seeking state assistance several times over the course of their lives. So it follows that the children in those families will be repeatedly economically vulnerable as well.

A lifetime cap on welfare benefits may sound like an appealing way to trim the cost of social services. But it might ultimately be more costly -- both in terms of the toll it could take on young lives and on future state budgets that may end up spending more on police and prisons.

If we can preserve our investment in Michigan's children today, we will reap the benefits tomorrow.

IN OUR OPINION: Too many foster kids still at risk

December 13, 2006

The State of Michigan did not actually kill Ricky Holland, but it surely failed to save him, and that's a fine line. Three new reports on how it was walked do not offer overwhelming confidence that what happened to this 7-year-old will not happen to some other child.

At least the couple responsible for Ricky's murder are now locked up where they can't hurt any more kids.

But there are thousands more such kids -- faultless cast-offs, victims of abuse and neglect -- who can only rely on the state to protect them through an overburdened system where mistakes can be fatal. The reports show that as many as 13 employees of the Department of Human Services made errors in Ricky Holland's case. Nobody expects people to be perfect, but when the consequences of imperfection can be so grave, the standards must be higher.

DHS employees essentially blew an investigation into the boy's complaint to a therapist in 2002 that his foster parents were torturing him. Two years later, the couple adopted the boy, and the following year they reported him missing, knowing that he had died at their hands. Ricky's life was revealed in horrific detail at his adoptive mother's trial.

The DHS has made some needed changes in response to the Holland case. But it's hard to imagine the system getting too much better without the resources to reduce caseloads for DHS workers. And if the state cannot find a way to do that, a lawsuit is pending that asks a federal court to take over the system.

Ricky Holland's short, awful life could have quite a legacy.

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ROCHELLE RILEY: Find children at risk before the violence does

BY ROCHELLE RILEY
FREE PRESS COLUMNIST

December 13, 2006

The state Department of Human Services was right to publicly reveal the roles of DHS workers in the death of Ricky Holland, the 7-year-old child who was being tortured while the state ignored signs that might have saved him.

The department's unprecedented report on the case outlined mistakes made by as many as 10 state employees, including a Jackson County foster care worker who did not visit Ricky at home for nearly two years.

But neither the DHS report, nor a second one from the Office of the Children's Ombudsman, dealt adequately with two vital questions:

Would a psychological evaluation have uncovered the evil that could lead Lisa Holland to hit a boy in the head with a hammer? (She was the woman who adopted Ricky. I refuse to call her his mother.)

And, more important: How many other Ricky Hollands live in fear and pain waiting for help that isn't coming?

Too few workers

DHS Director Marianne Udow, who inherited a department rife with problems, has consistently complained about having too few workers to properly monitor children in state care. Michigan workers juggle as many as 25-30 cases instead of the 10-15 that is considered the national, and safer, standard.

Among changes DHS recommended because of the Holland case are doing criminal background checks on foster parents monthly instead of once a year and doing a better job of screening foster and adoptive parents, possibly including psychological evaluations.

But those evaluations should be mandatory and annual, not possible and infrequent. Their omission is another sign that Michigan still hasn't taken mental illness or mental health seriously since former Gov. John Engler dismantled the state mental health system and forced local communities to provide care.

And neither does America. We spend more on sustaining penile erections than assessing increasing psychological distress that leads to crime, abuse and moms who hit kids in heads with hammers.

This is a nation that not once since 9/11 has done a comprehensive evaluation of the tragedy's impact on the nation's psyche.

No way to cry for help

Companies spent more dollars on Super Bowl commercials last year than they did to help find ways to make life better for children whose families fall apart and force them to leave their siblings, friends and sometimes their entire neighborhoods for their own

safety.

These children become strangers in homes where they're placed without fanfare, without their permission and without a way to cry for help if the person who's supposed to be their parent is hurting them and the person who is their advocate doesn't have time to visit.

I hate to think of Ricky sitting by a window, hoping, wishing for help, always scared, always hurting.

Considering it took years to learn of his plight, could there be others, sitting at windows, waiting for caseworkers who won't seem them for years?

Michigan can do better; and its child protectors should adopt the credo of doctors: First, do no harm.

ROCHELLE RILEY'S columns appear Wednesdays, Fridays and Sundays. Read her columns online at [freep.com/rochelleriley](http://www.freep.com/rochelleriley). Catch her on

<http://www.freep.com/apps/pbcs.dll/article?AID=/20061213/OPINION02/612130351/1070/OPINION&...> 12/13/2006



FOR IMMEDIATE RELEASE

December 08, 2006

Holland report shows DHS did not comply with laws, rules or policies

Rep. Law frustrated it took this long for answers in Holland case

State Rep. David Law today voiced his concern with the Department of Human Services after the release of a report stating that Jackson County DHS and Ingham County DHS did not fully comply with applicable law, rule, and policy regarding the Ricky Holland case.

Law is also frustrated that it took so long to get answers from the DHS on the death of Ricky Holland. The report was released today by the Office of the Children's Ombudsman. Law, chair of the House Special Committee on Child Protection, originally requested the report Feb. 16. The committee is requesting a closed session next week to go over the confidential portions of the report.

"Numerous mistakes were made in this case - with tragic results," said Law, R-Commerce Township. "We must use this report to make positive changes in the foster care system to ensure other children do not go through what Ricky did.

"According to the report, Ricky told people in authority some of the terrible things that were happening to him. It is unacceptable that DHS workers used only the parents' denial as proof he was making it up - forcing Ricky and his siblings to stay in the abusive environment.

"In the 11 months since I originally requested this report, several other children have died who were under the supervision of the Department of Human Services. I want answers from the department on what went wrong in each of those cases. The system is not working and Michigan's children are in danger. Legislators can affect change within DHS and need the facts immediately in order to do so.

"I understand the importance of maintaining the integrity of the court and not doing anything that would jeopardize the prosecution of the people responsible for this horrible crime," said Law, a former assistant prosecutor for Oakland County. "But 11 months is too long to wait for information that could save other children in the same situation."

Law referred to precedent set in the death of an Iowa toddler where the child protection system released the information before the trial was over. The release of the information allowed the Iowa Legislature to act swiftly to appropriately fix the law.

The House Special Committee on Child Protection was originally formed in March to find answers for what went wrong in the Holland case and propose legislative solutions.

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[From Lansing State Journal]

Local briefs

Panel to study Ricky Holland report

A state House committee that is reviewing the Ricky Holland case will meet in a closed session today to analyze an unredacted version of a report issued last week by the Office of Children's Ombudsman.

The 43-page report on the Department of Human Services' handling of the case said child welfare workers failed to comply with certain laws and policies.

Many details about the case were blacked out. State Rep. David Law, R-Commerce Township, said reviewing the complete report will help committee members better understand what went wrong so they can make necessary changes.

Citing privacy concerns, officials said committee members will not be allowed to discuss the report's contents publicly.

Mom is accused of not protecting baby

She's charged with abuse; 5-week-old has broken bones

BY NAOMI R. PATTON
FREE PRESS STAFF WRITER

December 13, 2006

A Canton woman was arrested and charged Tuesday in connection with the physical abuse of her 5-week-old son.

Canton police said Jayme Beth Stratton, 36, was charged in 35th District Court in Plymouth with second-degree child abuse. The felony charge carries a 4-year prison sentence upon conviction. Magistrate Eric Colthurst issued a \$5,000 cash bond.

Police Sgt. Rick Pomorski said the charge stems from Stratton's failure to protect the child when she suspected he was being abused.

The child's father, Steven M. Szyszkowski, 26, was charged Dec. 9 with two counts of felony first-degree child abuse. Szyszkowski entered a not-guilty plea. He was given a \$30,000 cash bond but remains in the Wayne County Jail. Each charge carries a maximum sentence of 15 years in prison upon conviction.

Pomorski said the child's injuries appeared to have occurred from being grabbed and shaken. The Child Protection Team at C.S. Mott Children's Hospital in Ann Arbor told police that the boy had nine broken bones.

The baby is in stable condition at the hospital.

Szyszkowski was arrested Dec. 7 at his home in the 51000 block of Mott Road. Police responded to a call from a resident in the home, requesting that they check on the infant.

Stratton and Szyszkowski are scheduled to appear in separate preliminary exams Dec. 22 in 35th District Court in Plymouth.

Contact **NAOMI R. PATTON** at 313-223-4485 or npatton@freepress.com.

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The Detroit News

Wednesday, December 13, 2006

Oakland Briefs

Pretrial hearing in baby's death is today

A pretrial hearing is scheduled today for a South Lyon man police say shook and threw his 11-month-old child into her crib for crying, causing severe head injuries that led to her death four days later. Steven Lindsey McBurney, 31, has been charged with child abuse and the murder of Madison McBurney on Dec. 4. He is being held without bond at the Oakland County Jail in Pontiac. The hearing will be at 8:35 a.m. before 52-1 District Judge Dennis N. Powers.



2006's youngest homicide victim? Prosecutor considers charges in baby's death - He was 3 months old when he died; His grave is unmarked; No one has been charged in his death; But officials haven't forgotten G'eo n Lamar

FLINT

THE FLINT JOURNAL FIRST EDITION

Wednesday, December 13, 2006

By Kim Crawford

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In the photo that appeared with his death notice, taken when he was perhaps 3 weeks old, baby G'eon Lamar wore a serious expression that belied the Santa Claus hat on his tiny head and the festive decorations sparkling in the background.

Three months after his Dec. 5, 2005, birth, G'eon was dead.

The baby "died of malnutrition and had pneumonia in both lungs," according to Flint police and court documents citing the Oakland County medical examiner's office, which performed an autopsy.

Police consider the case a homicide, said Lt. Tim Johnson, supervisor of Flint's homicide detectives. But no charges have been filed in G'eon's death.

His mother, Yolanda Lamar, 35, of Flint recently lost her parental rights to her three other children as a result of the baby's death.

Nine months after G'eon's death, Genesee County Prosecutor David Leyton says his office may soon be ready to file charges in the matter.

That doesn't impress the attorney who represented G'eon's mother in the family court proceeding in which her other children were taken away.

"If they think they have a case," questioned attorney John A. Folts, "why haven't they brought one?"

G'eon's death attracted little news media attention until now. Because of the nature and circumstances of the investigation - looking into the death of a baby in a community where infant mortality has been high because of environmental and natural causes - detectives never issued the standard press release that follows most homicides.

In the meantime, state Child Protective Services workers filed an abuse/neglect petition in Genesee County's family court against G'eon's mother four days after he died. That resulted in the termination of Yolanda Lamar's parental rights in November for her older children, ages 11, 7 and 5.

Leyton said it isn't unusual for a criminal investigation into a child's death from a neglect situation to take a long time, and he emphasized that the case hasn't been on a back burner.

QUICK TAKE

Timeline

- G'eon Lamar was born Dec. 5, 2005. He weighed 7 pounds, 4 ounces.
- When he was pronounced dead on March 5, 2006, G'eon weighed 8 pounds. Police and court documents say the baby "died of malnutrition and had pneumonia in both lungs."
- Flint police quickly classified G'eon's death as a homicide, and Protective Services workers moved to remove the baby's three older siblings from the home.
- In November, G'eon's mother, Yolanda Lamar, lost parental rights to her surviving children.
- Authorities now are mulling charges in G'eon's death.
- Lamar's attorney says G'eon's death is a tragedy but not a

"Absolutely not," the prosecutor said. "We just got some of the key medical reports, and we're going to need the expert testimony of a pediatrician."

Nor is it unusual that the parental rights termination in family court outpaced a possible criminal charge in the baby's death, he said.

crime, and she has paid for her mistake with the loss of her other children.

"The termination of parental rights is a civil proceeding, and the burden of proof for us to make our case is 'a preponderance of evidence,'" Leyton said. "The proof needed in a criminal case is much greater."

The Flint Journal couldn't reach Yolanda Lamar for comment. But the petitions filed by Protective Services against her give a sad and disturbing picture of the short life and death of baby G'eon, and of life for the three other children.

Court documents show Lamar was arrested by Flint police in late summer 2001 when she'd refused to answer the door as PS workers attempted to contact her at her north-side Flint home to check on her three older children. At that time, those kids were a newborn, a 2-year-old and a 6-year-old.

According to the neglect petition filed against her that fall, a PS worker paid her a visit because her then-new baby tested positive for THC at birth. THC is the active ingredient in marijuana, and the baby was her second child to have been born with the drug in its system, PS charged.

The caseworker noted that PS had the authority and obligation to check on her children, though Lamar claimed she hadn't heard them knocking. Flint police arrested her on an outstanding warrant. They also found marijuana in the home, the petition said.

The caseworker also found that her oldest child wasn't enrolled in school, according to court documents.

Within weeks, the state charged that Lamar's "children are at imminent risk of harm" and shouldn't remain in the home. The petition also said "the mother refuses to cooperate with any in-home services that will keep the family intact." Because of the charge, her children were made wards of the court.

Faced with the removal of her children, Lamar changed her mind and agreed to cooperate with what was then called the Family Independence Agency, and her children were allowed to stay with her. By December of that year, family court involvement with Lamar ended, the record shows.

That is, until March of this year. According to the petition filed four days after G'eon died (his name was given as "Goen" in court records), a PS worker again filed an abuse/neglect case in family court for the protection of his three siblings.

"Goen Lamar was pronounced dead at 11:40 a.m. on Sunday, March 5, 2006," the document stated. Severe malnutrition and pneumonia were the cause. G'eon weighed 7 pounds, 4 ounces at birth, the PS worker wrote. When he died, he weighed 8 pounds.

According to the Protective Services petition, Lamar told police that on the night of March 4, she gave G'eon a bath and Tylenol because he had a fever; she'd held him until 2 a.m. the next day and then put him to bed. G'eon had cried for a while but then went to sleep, she told them.

Several hours later, she told police, her older son woke her up to say that something was wrong with the baby, but she'd advised him to allow G'eon to sleep. Lamar told police she didn't check on the baby until about 11 a.m. "because she didn't have her glasses on."

When she finally checked and found him unresponsive, she tried to give him a bath. When he didn't cry, she called 911 and tried cardiopulmonary resuscitation.

Authorities were unimpressed with her account, according to court records. "It is evident the child was lifeless and unresponsive at the time the mother bathed, dressed and diapered the child before calling 911," the petition stated.

Between interviews with Lamar by the medical examiner's office, a local infant mortality official, Sgt. Lee Ann Gaspar of the homicide squad and PS worker Kelly Palmer, the petition charged, the mother "gave inconsistent accounts of the location of other children and the circumstances of the child's death."

Hadn't the baby appeared ill, she was asked. Lamar said no. G'eon hadn't seemed sick, and she didn't think he needed to be seen by a doctor, though she said the baby hadn't been eating well for several days.

At another point in the questioning, social workers charged the mother told police she had no transportation to the hospital. Yet they learned after that she did have "daily transportation and could have taken her infant son to the hospital," the petition read.

Baby G'eon's maternal grandmother, who lived next door, told investigators three days after his death that she had advised her daughter to take G'eon to the doctor - and she assumed that had happened, the petition said.

But it hadn't. After a trial in a family court in November, Genesee Circuit Judge Michael J. Theile terminated Yolanda Lamar's parental rights to her other children. She is appealing that, but attorneys say reversals of such cases are rare.

Leyton says that while a complete criminal case in G'eon's death hasn't yet resulted in charges, an attorney in his warrant division continues to work on it with Flint police.

"We need a pediatrician to testify about infants and weight gain," Leyton said. "We're putting it together."

Gaspar said she is working with a pediatric expert at Hurley Medical Center about that.

Folts, the attorney, says the baby's death was a tragedy but not a crime - a matter of a sick infant whose mother didn't recognize how serious his plight was, and who has paid for his death with the loss of her other children.

On Dec. 5, baby G'eon Lamar would have turned 1. He is buried in grave 21, lot 240 in section 8-R in the River Rest Cemetery in Flint Township, an unmarked grave on a hillside overlooking Flushing Road.

"It's one of the cases that breaks your heart," said Gaspar.

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It's hard to prove crime when child dies of medical causes

FLINT

THE FLINT JOURNAL FIRST EDITION

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JOURNAL STAFF WRITERS

FLINT - The road to trial can be a long one when a child dies of suspected neglect.

Unlike beatings, in which the cause of death is usually obvious, it takes prosecutors much longer to build a case for criminal charges when a child dies of suspected malnutrition.

"We have to be able to prove a cause of death," said Genesee County Prosecutor David Leyton. "This is different from a bullet to the head."

Detectives who work homicides agree that cases involving the deaths of young children and babies take far longer than the typical murder investigation.

When 5-year-old Rose Kelley died of liver failure at her Flint home in June, it took prosecutors nearly five months to bring criminal charges against her parents.

"It seemed like it took forever," said Sgt. Terry Coon, the homicide detective who handled the case. "But these cases take much more time. We have to consult with different medical specialists to get all the tests."

Leyton said prosecutors also have to locate medical records, interview the child's doctors and find expert witnesses who can testify.

Once they find the experts - who come from as far as Detroit and Grand Rapids - Leyton said it can take a month just to set up a meeting.

Neglect cases provide an added degree of difficulty because prosecutors must also make sure the child did not die of an unpreventable natural cause.

"You have to come at it from both sides," Leyton said.

A decision on charging anyone in G'eon Lamar's death will not be made until prosecutors are satisfied they have what they need.

Because G'eon weighed only slightly more than his birth weight when he died at 3 months old, Leyton said he needs a pediatrician to testify about proper weight gain for infants.

"We want to be extremely careful with what we do when we bring charges of this magnitude," Leyton said.

- Bryn Mickle and Kim Crawford

Judge allows convicted Oak Park kindergarten teacher to see more evidence

L.L. Brasier

Free Press Staff Writer

December 13, 2006

An Oakland County judge ordered prosecutors today to turn over any “exculpatory” evidence they have come across in the three months since the conviction of Oak Park kindergarten teacher James Perry for sexual assault.

The judge stopped short, however, of telling prosecutors to hand over all the material they have.

“It appears there is something ongoing,” Oakland Circuit Judge Denise Langford Morris said. “The exculpatory evidence should be provided to the defendant forthwith.”

Perry, 32, was convicted by a jury in September of assaulting two kindergarten boys in an empty classroom at Key Elementary during lunch last year.

His attorneys are now asking Langford Morris, the trial judge, to overturn that conviction, citing, among other things, new witnesses favorable to the defense who were never interviewed by police. Langford Morris has said she expects to rule on Perry's motion for a new trial soon.

Since Perry's conviction, Oakland County prosecutors have issued at least three subpoenas, one on Nov. 3, and two on Nov. 21, seeking the names of employees at Key Elementary.

Assistant Oakland County prosecutor Andrea Dean said today that the subpoenas were issued in response to an anonymous tip that a food worker in the school may have additional information about the case. Dean repeatedly rejected the notion that the subpoenas signaled an ongoing investigation by her office.

“This case is not pending,” she said.

Perry's appellate lawyer scoffed at Dean's stance.

“I don't know how anybody can say there is not an investigation when they are out there issuing subpoenas,” Robyn Frankel said. “My concern is that they are out there interviewing people, but when they come across something exculpatory, they disregard it.”



James Perry. (HUGH GRANNUM/Detroit Free Press.)

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Child sex case evidence sought

Lawyers to ask judge for help

BY L.L. BRASIER and JOHN WISELY

FREE PRESS STAFF WRITERS

December 13, 2006

Defense attorneys for an Oak Park kindergarten teacher convicted of molesting two young boys will go before a judge today to ask that prosecutors turn over any new evidence obtained since the Sept. 20 conviction.

Oakland County prosecutors issued three subpoenas in November after a Free Press story raised questions about the conviction of James Perry, 32, charged with molesting two boys in a special-education classroom at Key Elementary in October 2005.

Oak Park Public Safety Director John McNeilance told the Free Press that two of the subpoenas sought information about employees who worked in 2005 in Oak Park schools. The third subpoena was for Sodexho, a food service company that contracts with Oak Park Schools to provide food workers.

The prosecution has claimed Perry took the boys out of a lunch line.

School officials would not comment on the subpoenas, but in a Nov. 27 memo obtained by the Free Press, schools Supt. Sandra Harris wrote that the district had provided the names and telephone numbers of employees to prosecutors under a subpoena.

"We have requested the prosecuting attorney's office to schedule personal interviews at facilities within the Oak Park School District and the Prosecutor's Office has agreed to do that," the memo said.

Police also interviewed two school employees in November, but McNeilance said prosecutors have not asked for any more assistance.

Perry's attorney, Robyn Frankel, said she was entitled to anything new the subpoenas and interviews turned up.

"It appears that they are continuing the investigation," she said. "Everyone knows this case is not over, and we are entitled to all the evidence they have. Whatever they have, they should hand it over, including any exculpatory statements."

Prosecutors have declined to comment on the case to the Free Press, or answer questions about the new interviews, but in an e-mail sent to the newspaper on Friday, Chief Deputy Prosecutor Deborah Carley defended the conviction and said, "I want to be clear that nothing has changed regarding our opinion as to his finding of guilt."

Prosecutors, despite the subpoenas and interviews, say in court filings that the case is not being "re-investigated."

"There is no continuing investigation in the above referenced case," Oakland County Assistant Prosecutor Andrea Dean wrote in a Dec. 6 motion. Legal experts say a post-conviction review should include the search for possible exculpatory evidence.

"When a conviction is seriously questioned, you would hope that's what the prosecutors would do, that they would reinvestigate it with an open mind," said David Moran, a professor of criminal law at Wayne State University. "I hope that's what they are doing."

Judge Denise Langford Morris, who will hear today's motion, is expected to rule within weeks on the defense's request that Perry's conviction be overturned. Perry's attorneys are challenging the conviction on grounds that three adults recently have come forward to say the room where the alleged assaults took place was always occupied and the assaults couldn't have occurred there.

Contact **L.L. BRASIER** at 248-858-2262 or brasier@freepress.com.



James Perry, 32, has been convicted of molesting two young boys at an elementary school. (HUGH GRANNUM/Detroit Free Press)



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Man Claims He Knows Name Of 'Oakland County Child Killer'

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ROMULUS, Mich. -- Theodore Lamborgine, another suspect in the "Oakland County Child Killer" case from the 1970s, was reunited in court Tuesday with former partner in crime, Richard Lawson.

Police said the two men were part of a 70s sex ring that preyed on young boys in Detroit's Cass Corridor. Out of the five men involved, Lamborgine and Lawson are the only two living members of that ring.

Lamborgine is facing 19 counts of sexually assaulting children, while Lawson is facing 28 similar charges. Lawson is currently serving a life sentence for murder.

On his way out of a Romulus courtroom, Lawson, who is already serving a life sentence for murder, told

Local 4 he knows who the killer is.

Later Tuesday, Local 4 obtained new documents detailing molestations of many children in the 70s and 80s. Three names of suspects in the investigation were listed and one of those names matched the one Lawson gave as the Oakland County Child Killer. The name Lawson gave was Bobby Moore, one of the deceased members of the sex ring.

Although some of the members of the sex ring are deceased, police said they still need to investigate in case one of the deceased men turns out to be the killer.

Investigators said they do not believe Lamborgine or Lawson to be the killer, but they do think the men have valuable information that could help solve the case.

On Dec. 20, both men will appear in Romulus District Court for a preliminary examination.

Previous Story: [Prosecutor: Man Suspect In 'Oakland County Child Killer' Case](#)

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THE ANN ARBOR NEWS

Woman accused of sex with teen

41-year-old mother in jail pending hearing

Wednesday, December 13, 2006

BY ART AISNER

News Staff Reporter

A 41-year-old Scio Township woman is charged with having sex with a 14-year-old boy at a party over the weekend, police said.

Dawn Marie Richards, the mother of two children ages 10 and 13, was arraigned Tuesday afternoon at the Washtenaw County Jail on one count of third-degree criminal sexual conduct and one count of soliciting or accosting a minor for immoral purposes, said Washtenaw County Sheriff's Cmdr. Dave Egeler.

Deputies arrested Richards at her home in the Scio Farms Estates mobile home community Monday night after the boy's parents reported the incident. The parents said they heard about it from teens who witnessed the sexual encounter, Egeler said.

Richards and the boy, who also lives in the complex, were at a party in the complex with several teens and a few adults early Sunday. Two of the teens walked into a back room and saw them having sex and later told adults, who reported the incident to the boy's parents, Egeler said.

Alcohol was served at the party, witnesses told police.

Egeler said witnesses also told police Richards often threw parties for teens in the neighborhood.

Egeler said investigators believe the sexual encounter was consensual.

The criminal sexual conduct charge carries a 15-year prison sentence upon conviction and Richards faces up to another four years on the other felony charge. She remains in jail in lieu of \$50,000 bond pending a preliminary hearing in 14-A District Court.

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Published December 13, 2006

Child-care providers unionize in Mich.

Home-based workers get lift from UAW, AFSCME

By Joe Guy Collier
Gannett News Service

Michigan home-based child-care providers whose clients include low-income children have formed a union in an effort to win better wages and benefits.

They are joining forces with autoworkers.

The United Autoworkers and the American Federation of State, County and Municipal Employees are expected to announce today that they've helped about 40,000 home-based child-care providers form Child Care Providers Together Michigan. The group will operate under a program jointly run by the UAW and AFSCME.

Arleen Allen-Hunter, a 37-year-old child care provider, said she and her fellow child-care providers have talked for several years about coming together in some fashion to help address common problems, including pay, health care and training.

"I'm elated," Allen-Hunter said Tuesday from her Detroit home, where she cares for nine children. "We finally are going to get that voice we've been needing for years."

For the UAW, which is losing members as domestic automakers cut production to match their shrinking market share, it is a chance to diversify and boost membership.

Home-based child-care providers traditionally have been a disconnected set of workers - independent businesswomen and men caring for children in their homes.

Child Care Providers Together Michigan was able to bring together workers who are registered with the Michigan Department of Human Services to receive government subsidies for taking care of children from low-income families.

The group was certified by the state in late November and a bargaining committee has been formed to negotiate on behalf of the workers. The new union will be able to negotiate a contract with the state over rates and terms. A date has not been set on when negotiations will begin.

The new group, though, has identified several areas to address, UAW Secretary-Treasurer Elizabeth Bunn said. The top priorities will be securing better wages, providing health benefits and establishing training programs for its members, she said.

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"One of the public benefits of our success will be to reduce turnover and stabilize the child care work force," Bunn said. "You're not going to be able to do that without improving pay and figuring out some way to get affordable and quality health benefits."

Although details on the negotiating process still must be worked out, the state looks forward to working with the new union, said Lisa Brewer Walraven, federal liaison and policy adviser for the Michigan Department of Human Services. The goal is to provide the best care for kids in the state, she said.

The move in Michigan to unionize home-based child-care workers follows a trend across the United States. AFSCME, the UAW's partner for the program in Michigan, already represents home-based child-care workers in several states, including Oregon, Wisconsin and Iowa.

In Oregon, the union negotiated a contract that will raise the average hourly rate paid per child from \$1.85 to \$2.75.

In Michigan, the rate paid for home-based child-care ranges from \$1.35 to \$2.50 an hour per child, depending on the county, age of the child and type of provider.

Child care isn't necessarily a natural fit for the UAW, but the union has been branching out to other fields as auto jobs have shifted overseas or to non-union operations.

The union already represents health care professionals, social service workers, casino employees, journalists, graduate teaching assistants and government employees.

Michigan is the first state in which the UAW has helped organize home-based child-care workers.

The UAW is trying to move into new areas, but only if it can be a strong advocate for the workers, Bunn said.

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UAW BRANCHES OUT IN MICHIGAN: 40,000 launch child-care union

Home-based providers seek better pay, benefits and training

BY JOE GUY COLLIER
FREE PRESS BUSINESS WRITER

December 13, 2006

Michigan home-based child-care providers whose clients include children from low-income families have formed a union in an effort to win better wages and benefits.

They are joining forces with autoworkers.

The UAW and the American Federation of State, County and Municipal Employees are expected to announce today that they've helped about 40,000 home-based child-care providers form Child Care Providers Together Michigan. This new group will operate under a program run by the UAW and AFSCME.

Arleen Allen-Hunter, a 37-year-old child-care provider, said she and others have talked for several years about coming together to address common problems such as pay, health care and training.

"I'm elated," Allen-Hunter said Tuesday from her Detroit home, where she cares for nine children. "We finally are going to get that voice we've been needing for years."

For the UAW, which is losing members as domestic automakers cut production to match market share, it is a chance to diversify. Membership is expected to fall below 500,000 next year, one-third its peak of three decades ago.

Coming: Negotiations with state

Home-based child-care providers traditionally have been a disconnected set of workers -- independent people caring for children in their homes.

Child Care Providers Together Michigan brought together workers registered with the Michigan Department of Human Services to receive government subsidies for taking care of children from low-income families.

The state certified the group in late November, and a bargaining committee has been formed to negotiate on behalf of the workers. The new union will be able to negotiate a contract with the state over rates and terms. A date for the start of negotiations has not been set.

Until a contract is finalized, the workers will not be required to pay dues. At that time, the number of providers who formally join the union could change.

The membership of this group will be split between the UAW and AFSCME.

The new group has identified several areas to address, said UAW Secretary-Treasurer Elizabeth Bunn. Top priorities will be securing better wages, providing health benefits and establishing training programs, she said.

"One of the public benefits of our success will be to reduce turnover and stabilize the child-care workforce," Bunn said. "You're not going to be able to do that without improving pay and figuring out some way to get affordable and quality health benefits."

Although details on the negotiating process still must be worked out, the state looks forward to working with the new union, said Lisa Brewer Walraven, federal liaison and policy adviser for the Michigan Department of Human Services. The goal is to provide the best care for children, she said.

The federal government provides the money for the home-based program, but the Department of Human Services determines the hourly rates providers are paid. The program provided \$443 million in child-care subsidies in Michigan in the 2006 fiscal year.



If the state wants proper care for children, it has to treat providers better, one caregiver said. Shalonda Goodson, 3, of Detroit is cared for by Scherriel Fenderson in Detroit, who welcomes the UAW's help.

Unionization part of a trend

The move in Michigan to unionize home-based child-care workers follows a national trend. AFSCME, the UAW's partner for the program in Michigan, already represents home-based child-care workers in several states, including Oregon, Wisconsin and Iowa.

In Oregon, the union negotiated a contract that will raise the average hourly rate paid per child from \$1.85 to \$2.75. The rate begins in October.

In Michigan, the rate paid for home-based child-care ranges from \$1.35 to \$2.50 an hour per child, depending on the county, age of the child and type of provider.

Paul Booth, AFSCME assistant to the president, said he cannot predict what rates Michigan workers will gain from the new union. The union, though, should give Michigan child-care workers a seat at the table when decisions are being made that affect them, he said

"We're forging a means to help them solve huge challenges," Booth said.

An advocate for workers

Child care isn't necessarily a natural fit for the UAW, but the union has been branching out as auto jobs have shifted overseas or to non-union operations. The union already represents health care professionals, social service workers, casino employees, journalists, graduate teaching assistants and government employees, including 17,000 state workers.

Michigan is the first state in which it helped organize home-based child-care workers.

The UAW is trying to move into new areas, but only if it can be a strong advocate for the workers, she said. "We are not interested in representing workers where we don't feel we can act as a powerful voice for them," Bunn said.

Scherriel Fenderson, a 36-year-old home-based child-care provider in Detroit, said she is pleased to have the UAW on her side. She would like help in getting health insurance and reimbursement for transportation expenses. She often must pick up or take home children.

As one provider, Fenderson said she did not know how to persuade the state to address her concerns. "With the union, you're going to have somebody standing up for you," she said.

Alice Norris, 62, a home-based child-care provider in Detroit, hopes to get better subsidy rates, insurance and training assistance. She said also hopes the union improves the image of child-care providers.

Norris prides herself on developing an organized schedule of educational programs. If the state wants children taken care of properly, it's going to need to treat workers better, she said.

"People hear about child-care workers and they look at us as babysitters," Norris said. "We are professionals."

Contact **JOE GUY COLLIER** at jcollier@freepress.com.

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County paying off jail debt

By JIM ANDERSON, News Editor

IRON MOUNTAIN — Dickinson County will use \$107,494 in surplus funds from its 2006 budget to reduce the remaining debt on a \$500,000 loan from 2003.

The borrowing helped finance a \$2 million correctional center expansion. With the new payment, the remaining debt is \$108,000, said Kay Pascoe, county controller.

The savings in the 2006 budget comes from numerous sources, including \$20,000 in elections costs; \$20,779 in employee health insurance; and \$50,000 in unspent contingency funds.

The county board on Monday approved a budget amendment to allow the correctional center payment. No allocation is budgeted for debt reduction in 2007, so the county will wait until at least 2008 to pay off the debt in full.

In other action, the county board:

— Adopted the 2007 budget after receiving no comments during a public hearing. The budget totals nearly \$8.2 million, with the operating levy to remain at 6.1203 mills.

— Authorized the purchase of a full-size sedan for the Probate and Juvenile Court at a cost of up to \$13,500. The vehicle will replace a 1995 Chevrolet Caprice, which will be offered for sale. The vehicle is mainly used by the court's intensive probation officer for the transportation of juvenile offenders.

— **Heard a presentation by Bob Roberge, director of the Dickinson-Iron Department of Human Services, on a new family to family philosophy, which involves an effort to protect children and reach decisions on child placement through a team effort. Through this method, families with knowledge of a particular child's situation may offer more input, Roberge said. There are currently about 35 county children in foster care, down from what was likely an all-time high of 50, he reported.**

— Accepted the bid of Miller Plumbing and Heating of Iron Mountain to remove and replace two sewage pumps at Ford Airport at a cost of \$8,650.

— Approved a service agreement permitting Tony Edlebeck of Kingsford to fill in for Drain Commissioner Richard Rahoi in his absence (from Jan. 1, 2007, to March 31, 2007) for the purpose of continuing the Soil Erosion Sedimentation Control Program.

Jim Anderson's e-mail address is janderson@ironmountaindailynews.com.

Housing costs too much for working poor

Minimum wage not enough for rent, group says

By ELLYN FERGUSON
GANNETT NEWS SERVICE

WASHINGTON — Affordable one- or two-bedroom rental housing remains beyond the means of most low-income Americans with full-time jobs that pay the federal minimum wage of \$5.15 an hour, a report issued Tuesday by a housing advocacy group says.

On average, a worker would need to earn at least \$16.31 an hour to afford a modest two-bedroom rental, the National Low Income Housing Coalition says in its annual Out of Reach report.

Last year, someone working 40 hours a week for 52 weeks without vacation or time off for illness needed to make \$15.37 an hour to rent the same unit.

The report defines affordable rentals as housing that takes 30% or less of a worker's income.

One-third of U.S. households rent their housing, the

coalition says.

The 2006 report says it takes more than \$16.31 an hour to afford a two-bedroom rental in the District of Columbia and 14 states, mostly in the Northeast. The hourly wage needed for housing in the District of Columbia is \$24.73, followed by Hawaii in second place, with \$23.53, and California in third place, with \$22.86.

Rep. Barney Frank, incoming chairman of the House Financial Services Committee, praised the report for highlighting the need for more affordable housing.

He said the new Democratic majority in Congress would work "to get the federal government back in the business of preserving and building affordable housing."

Frank, D-Mass., said one priority is creating a national affordable-housing trust fund, largely funded through 5% of the after-tax profits from Freddie Mac and Fannie Mae, two government-backed companies that help provide money to the home mortgage industry. The after-tax proposal was part of a bill that failed to clear Congress this year.

Michigan Report

December 12, 2006

CASWELL: LAWMAKERS SHOULD BE AT TABLE OF LONG-TERM CARE

As the state moves forward in addressing the long-term care needs of its Medicaid population, lawmakers should be part of those discussions, [Rep. Bruce Caswell](#) (R-Hillsdale), chair of the House Appropriations Subcommittee on Community Health said Tuesday.

Mr. Caswell said that the point of having the subcommittee meet was to inquire about the program because he did not feel lawmakers had been involved in discussions, but that he hoped that would change and continue on with the subcommittee under new Democratic leadership.

Mr. Caswell also asked that the state do better with long-term care than it did with the Michigan's mental health population, which can be done by making sure more people are at the table even before the state applies for a federal 1915 B and C waiver.

The state is in the beginning stages of addressing this cause, said Mike Head, director of the state's long term care office, and is contacting other states that have instituted similar programs. But Mr. Head emphasized the newness of the program, saying that even in some states with a long-term care setup have not rolled out their programs statewide yet.

Mr. Caswell said that before a waiver is sought that the administration should get a handle on how much cost will be associated with the program, as well as more information about the needs of the Medicaid population and what the consumer outcomes have been for other programs that already have been instituted such as PACE.

Mr. Head said the long-term care connection sites planned will help the state gather more accurate information about the needs of the population and a feasibility study is going to be required to understand the future costs. But Mr. Head also said that long-term care would save the system in the long run.

"We are talking about a choice-driven model," he said.

Juvenile injustice**Advocates make a case against locking teens up for life****by Curt Guyette****12/13/2006**

The Wayne County judge presiding over the murder trial of Damion Todd wanted to send a message.

The year was 1986, and the problem of violence among Detroit teens had reached panic-inducing proportions. That year alone 365 kids 16 and younger were shot; 43 of them died.

Melody Rucker was one of them. Just 16, she was attending an end-of-summer party at a friend's house on the city's northwest side the August night that Damion Todd, riding in a white Mercury Cougar with three friends, leaned out the window and fired off four rounds from a shotgun. Rucker died and a second girl was seriously injured. A reporter from the *Detroit Free Press* covering Rucker's funeral wrote: "Melody Deshawn Rucker, the sunshine child, was buried Thursday. In life, she was the joy of her family, 'Poochie' to her friends, a cheerleader, a basketball player, a member of the Angelic Choir at her church. In death, she was just another homicide victim in a city that has so many homicide victims that the police apparently can't keep up with the count. ...

"Her teenage pallbearers talked about the everyday violence that this time touched too close to home. 'What can you do about it?' someone asked them. Nobody seemed to know."

But something desperately needed to be done to stanch the bloodshed in the city that had come to be known as the murder capital of America. As the epidemic of crack cocaine took hold, and the violent drug gangs that peddled the poison grew more audacious, the community reacted with a combination of fear and outrage.

Things were spinning out of control.

And Recorder's Court Judge Michael Talbot used the high-profile case of 17-year-old Damion Todd to drive home the point that teenagers convicted of murder in Detroit would be subjected to the harshest penalties possible.

So it was that Todd — who had never before been charged with a crime, who had no connection to the drug trade, who had been active in his church, who'd been a captain of his football team at Henry Ford High School and was looking ahead to his senior year before going on to college — found himself being sentenced to life in prison without the possibility of parole. In addition, Talbot decreed that Todd's life behind bars should be spent in solitary confinement and performing "hard labor." It didn't matter that, as Talbot himself later pointed, although technically still on the books, the state Department of Corrections no longer "honored" sentences of hard labor and solitary.

"If the state ever changes its mind about invoking that part of the statute, my customers will be ready," Talbot explained from the bench.

One of Detroit's daily papers reported at the time that "... the sentence, virtually unprecedented for a 17-year-old, was not imposed lightly. 'The case was clean,' the judge said. 'You've got to start to win the war (against youth violence and murder) someplace.' Mr. Todd had the monumental misfortune to become the example Judge Talbot wished to set in an effort to help Detroit gain control over its youth crime epidemic."

That was 20 years ago. Twenty years in which this nation's attitude toward juvenile justice took a hard swing to the right, with states across the country clamping down on youthful offenders by passing laws to treat more young criminals as adults. Twenty years in which Damion Todd has made the transition from adolescent to adult while being locked away.

Now, at the age of 37, he'd like to again be seen as an example — an example of why it's wrong to throw teenagers behind bars and then toss away the key, an example that proves rehabilitation is possible and that one-time criminals, even those who have killed, can be reformed and returned to the outside world without posing a threat to society.

He's far from alone in the desire to see those views accepted. If attitudes toward the criminal justice system can be seen as a pendulum, then the swing to the hard right that was under way in 1986 appears to have started moving in the other direction.

Supreme decision

In March of last year, the U.S. Supreme Court ruled 5-4 that it is unconstitutional to apply the death penalty to anyone who committed their crime while younger than 18.

"From a moral standpoint, it would be misguided to equate the failings of a minor with those of an adult, for a greater possibility exists that a minor's character deficiencies will be reformed," Justice Anthony M. Kennedy wrote.

Opponents of sentencing minors to life without possibility of parole say that same logic should apply to their cause.

Reports issued last year by such groups as Human Rights Watch, Amnesty International and the Michigan ACLU have also helped pave the way toward potential reform, making the case that America's draconian juvenile justice system is wildly out of sync with the approach taken by nearly every other country in the world. Treating these "children" as adults, it's argued, is a violation of international law.

It's also unnecessarily cruel, say critics. If minors lack the emotional and intellectual maturity to be treated as adults in every other way — they're not allowed to vote, serve on juries, enter into contracts or consume alcohol — how can justice possibly be served by treating them as adults when they break the law?

"Kids who commit serious crimes shouldn't go scot-free," contends Alison Parker, a researcher for nonprofit group Human Rights Watch and author of *The Rest of Their Lives* report issued last year. "But if they are too young to vote or buy cigarettes, they are too young to spend the rest of their lives behind bars."

The issue is particularly pertinent in Michigan, one of 19 states with no lower limit on the age at which a child can be prosecuted and punished as an adult. Currently, 314 prisoners in Michigan are serving sentences of life without possibility of parole for crimes committed when they were 17 or younger. When *The Rest of Their Lives* report was compiled last year, only Pennsylvania (with 332) and Louisiana (with 317) had more people serving such sentences for crimes committed while they were juveniles.

(Michigan is among a handful of states where 17-year-olds are considered adults when it comes to criminal matters. Most everywhere else though — a majority of states and nearly all the countries of the world — the accepted age is 18. Likewise, when the U.S. Supreme Court ruled that juveniles couldn't be executed, it included 17-year-olds. Which is why the advocates studying the issue counted Michigan's 17-year-olds as juveniles.)

Nationwide, there are more than 2,200 such prisoners. According to Parker of Human Rights Watch, only three other countries — Israel, Tanzania and South Africa — have sentenced juveniles to prison for life without the chance of parole. Those three countries combined have a total of 12 such inmates.

"Child offenders should be given the possibility of freedom one day, when they have matured and demonstrated their remorse and capacity for rehabilitation," wrote Parker.

Last year bills were introduced into both houses of the Michigan Legislature that, if signed into law, would prevent offenders under 18 from being sentenced to life in prison without the possibility of parole. Until now, those bills have remained tied up in committee, unable to get a hearing. But with Democrats gaining control of the House, there's renewed hope among supporters that the first steps toward change will be taken.

But there's certain to be stiff opposition. Oakland County Prosecutor David Gorcyca, for one, argues that the issue of cognitive brain development is a "hollow argument." By the time someone's a teen they certainly know the difference between right and wrong, and fully have the capacity to realize that if you point a loaded gun at someone and pull the trigger, there will be bloodshed.

He's far from alone in decrying the proposed changes. A statewide group of fellow prosecutors is already on record as opposing any amendments to the juvenile lifer law, he says.

"There's a number of brutal killings and capital cases where it is appropriate to sentence juveniles to life without parole," he says.

Damion Todd, now 37, is praying such opposition won't be enough to stop the legislation. After 20 years behind bars, more than half his life, he contends that he's paid a sufficient price for the tragic mistake that cost Melody Rucker her life.

Dead-wrong decision

The end-of-summer party on Sunderland Road was already breaking up by the time Todd and two of his friends showed up the night of Aug. 16, 1986. There are conflicting accounts of what happened that night, but according to court records some witnesses said there were already problems before Todd and his friends arrived. A fight had broken out, according to some accounts, and a .45-caliber pistol had been brandished.

As people milled around in front of the house waiting for rides home, Todd and his friends stayed for a short time then got back in the white Cougar being driven by Vernard Carter and drove off. Two students — including the one who'd allegedly pulled out the pistol — jumped in a red Cavalier and followed.

Todd and his friends claim that the Cavalier pulled up behind them flashing its lights. They slowed down and the Cavalier passed, then pulled over. The two guys in the Cavalier hopped out, and one of them fired two shots at the car Todd and his pals were in.

Todd's group drove to a friend's house nearby and retrieved a shotgun, which they called a "gauge." The gun's owner joined them. Todd sat in the front passenger seat as the four returned to the party.

What happened next was hotly disputed during the trial. Most witnesses said Todd leaned out the window and, without provocation, started firing into the crowd.

Todd claimed that the same person who had fired at them earlier again shot at their car. He maintains that he then fired back, pointing the shotgun in the air as he fired, never intending to hit anyone, only wanting to "scare" off the other shooter.

A neighbor who lived next door to the party testified that he heard a shot come from the street before Todd opened fire with the shotgun. He also testified that the gun was pointing in the air at a 45-degree angle.

It was the first time Todd had ever fired a gun. He didn't know how to operate the shotgun, and had to be told to pump it before pulling the trigger. He fired off four shots. Pellets hit Melody Rucker in the eye, neck and shoulder, killing her. Another girl was wounded in the chest, but survived.

Todd and the three others in the car were taken into custody the next day. One of the four was never charged, receiving immunity from prosecution in return for his testimony. Todd claims that's because the boy had an uncle working in the homicide unit of the Police Department, and that the investigation was skewed because of that.

He does not, however, deny being the one who fired the shotgun out the window of the car as it rolled past the party that night.

"I made a very immature decision in the heat of the moment," Todd tells the *Metro Times* during one of three recent phone interviews. He's calling from the Mound Road Correctional Facility in Detroit, where he's currently locked up. "We went to get the gun to scare the guys who shot at us. We wanted to show these guys we weren't afraid of them, to scare them like they scared us."

"I felt like I had to defend myself," he explains, saying that growing up in a community "where a lot of young people have access to guns, if you don't, word spreads."

And at 17, no guy wants to look like a coward in front of his buddies.

"But back then," he says, "I hadn't lived on this earth long enough to understand the full impact of my decisions."

Brain scans

In the report *The Rest of Their Lives*, a joint effort by the nonprofits Amnesty International and Human Rights Watch, it's pointed out that proponents of treating juveniles as adults are correct when they say that even a 6-year-old can tell you that it's wrong to kill someone.

But there's a difference between being able to "parrot" the phrase and understanding the full consequences of a particular action.

"Psychological research confirms what every parent knows: Children, including teenagers, act more irrationally and immaturely than adults," the report states. "According to many psychologists, adolescents are

less able than adults to perceive and understand the long-term consequences of their acts, to think autonomously instead of bending to peer pressure or the influence of older friends and acquaintances, and to control their emotions and act rationally instead of impulsively."

"Psychological research," according to the heavily footnoted report, "also consistently demonstrates that children have a greater tendency than adults to make decisions based on emotions, such as anger and fear, rather than logic and reason."

Using MRIs, neuroscientists are now able to provide a physiological explanation for all this. Although the rate at which teenagers acquire adult capabilities varies from person to person, researchers have found key differences between the frontal lobes of adolescents and adults. This is the part of the brain that's linked to "regulating aggression, long-range planning, mental flexibility, abstract thinking, the capacity to hold in mind related pieces of information, and perhaps moral judgment," according to researchers cited in the report.

"Most brain development specialists say the brain's frontal lobe isn't fully developed at least until the age of 18," says Rosemary Sarri, a professor at the University of Michigan's Institute for Social Research.

Sarri, who's been studying juvenile justice issues for 40 years, sums up the research that's taken place over the past decade this way: "We now know why kids do the crazy things they do. They are fundamentally different than adults."

And that fact needs to be taken into account when juveniles commit crimes, argue opponents of the current system.

"Culpability for offenses is measured, and should be punished, in proportion to a person's ability to appreciate the wrongfulness of their actions or control their behavior to conform with the law," is the argument put forth by the ACLU of Michigan in its 2005 report titled *Second Chances*. "Altogether, the body of research on adolescence supports the conclusion that juveniles are not as culpable for offences as adults, because they lack the same maturity necessary to control their actions and understand the consequences of those actions."

There's another factor that's important in all this, says Ann Arbor attorney Deborah LaBelle, director of the Juvenile Life Without Parole Initiative and the primary author of the *Second Chances* report.

LaBelle and others contend that the same lack of maturity and rational decision-making processes that can lead to criminal behavior by juveniles can also severely hamper their ability to fully participate in their own defense.

Circus court

"From the time I was arrested, it was a whole new experience for me," recalls Todd. "I didn't understand the court proceedings that were going on. It was almost like being put in a foreign land."

Todd says that he met with his lawyer only once before his trial began, and that meeting only lasted about an hour. Unlike most juvenile offenders, his attorney wasn't appointed by the court but rather paid for by his family.

Had he known what he does now, says Todd, "I would have fired my attorney and obtained another one. But I didn't know anything about what rights I had back then. I just listened to what my family and others said."

"The scariest moment in my life up to that time was when I stepped into the courtroom after my arrest," wrote Todd in an affidavit included in a petition alleging human rights violations the Michigan ACLU submitted to the Inter-American Commission on Human Rights earlier this year. "I was placed in front of a judge whose demeanor and unfair representations were openly expressed in front of my jury every day of my trial. My trial attorney neglected his duty, and I did not know or understand enough to make things stop. In no way do I sit here today and try to minimize my crime, but at the age of 17 I was involuntarily ignorant about most life decisions in general. It seems my way of thinking at that age was a mixture of fantasy and reality."

Describing his trial as a "circus," Todd says he did as he was told, quietly listening as he was portrayed as "this really bad person."

"I was being advised to keep quiet and stay strong," he says. "At my trial, it was like I had to put on a mask. I was trying to stay strong for my mother and my family. And I was trying to be strong for myself, because you hear the stories about what will happen to you if you go to prison and appear to be soft. But when I'd go back

to my cell at night I would break down."

Among the more astounding aspects of the trial is something that didn't happen: The two youths in that red Cavalier who allegedly started the violence that night were never charged with any crime or subpoenaed to testify at the trial. Testifying at a hearing a year later, former Records Court Judge Justin Ravitz declared the courtroom absence of those key players in the tragedy "mind-boggling."

A jury found Todd guilty of first-degree murder, assault with attempt to commit murder (for shooting the second girl) and possession of a firearm during commission of a felony. His two co-defendants, who opted to put their fate in the hands of Judge Talbot instead of a jury were also found guilty.

Last month attorney Mark Kriger filed an appeal on Todd's behalf with the Michigan Supreme Court seeking a new trial on the basis that Todd's original attorney mishandled a key aspect of the case.

In 1998, one of Todd's co-defendants (who had a different attorney during the original trial) won the right to a new trial after winning a similar appeal. He ended up pleading guilty to second-degree murder and was released shortly after that.

While the appeals process drags on — this is Todd's fourth attempt to gain a new trial — he continues doing what he has for the past 20 years: working to show that he doesn't deserve to spend the rest of his life in prison.

A psychological profile

In 1987, shortly after entering the state's prison system, Todd was given a battery of psychological tests and extensively interviewed by a clinical psychologist.

The psychologist reported that Todd made a conscious attempt to portray himself in the "best possible light" and attributed "his 'mistakes' to the devil, normal human frailty and accidents that just happen."

"From reading the photo copies of newspaper articles ... it appears that there is strong community pressure in Detroit to end the epidemic of inner-city youths killing each other," the psychologist, Robert Beseda, reported. "The severity of the judge reflected in his alleged statement of life without parole, in solitary confinement with hard labor and a supplemental 100-year sentence appears motivated by the severity of the general problem in inner-city Detroit, more than any gross psychopathology in Mr. Todd. There is no evidence that Mr. Todd is suffering from psychosis, major affective disorders, suicidal ideation, or significant organic intellectual impairment."

Although he reported suspicions that Todd was putting on an act, Beseda noted that prisoners with similar psychological profiles "tend to be persons with very good institutional and post-release adjustment. Many people with Mr. Todd's profile pattern could have been dealt with just as efficiently and less expensively through probation in the community if the community's demand for justice and retribution were not major considerations. It is reasonable to expect that by the time Mr. Todd reaches his early 30s, he would have matured out of a youthful exuberance and indiscretions which resulted in the needless and tragic death of an innocent female bystander."

Using a standardized evaluation formula that took into account the severity of Todd's crime and past history, Beseda reported that Todd could be ready for release in just nine years.

It appears that the profile proved to be accurate after all, with Todd going on to become a model prisoner. But unless he wins a new trial or the law is changed, he'll remain locked up for the rest of his life. To survive, he refuses to stop believing it's not his fate to die behind bars.

"I fight every day to keep myself from becoming institutionalized," Todd says.

It's not easy.

"All those stereotypes you see in prison movies — stabbings, homosexuality, getting preyed upon for money, sex — those things are all real," he says. And teenagers coming into the system are especially vulnerable.

Keeping to a small group of like-minded prisoners, he obtained a GED and took college classes. He also took vocational classes.

He exercises a couple of hours a day, and spends a lot of time reading self-help books. The last such book that made a big impression on him, he says, was *The Road Less Traveled* by M. Scott Peck.

"One of the things he wrote in that book is that the things that hurt us are what we learn from as we navigate through life," Todd says. "That statement is so true. When things get hard for me, I say that over in my mind."

It also helps him to have the continued support of family and friends, who continue to stick by him and work on his behalf. People like Tracy Williams.

'Couldn't be our Damion'

"Damion and I were like this," says Williams, holding up her index and middle fingers and twining them together. "We were always really, really good friends."

Their junior year at Henry Ford High School, "he was voted the most spirited boy and I was voted the most spirited girl," she recalls. After Melody Rucker was gunned down, and the school refused to put Damion's picture in the yearbook to go along with that title, she insisted that her picture not be shown either.

The day of Todd's arrest she heard his name announced on the television news and froze in her tracks. She recalls thinking, "'No. That couldn't be our Damion.' Damion would never hurt a girl. I could not wrap my mind around it. It was an impassivity."

And when she found out that it was indeed her friend being charged with the crime, she completely "fell apart." She couldn't bring herself to attend his trial.

"I was just too emotional," she recalls.

"Damion was always Mr. Personality," she says. "He was always the life of the party. Captain of the football team. Student council. He played ice hockey. Do you know how many black kids play hockey?"

As the years passed, the two lost touch. Williams went to college in Chicago, eventually got a job as a flight attendant, married, moved to Dallas.

While in prison Damion also married and fathered a child. Questions about that marriage are the only ones he declines to answer when talking with *Metro Times*, saying it's an issue he doesn't want to discuss over the phone. He's now divorced. So is Williams.

He wrote her about two years ago in an attempt to reconnect. They corresponded, then began talking by phone. She returned home to Detroit to help care for her ailing father. And then, a little more than a year ago, Williams went to visit her high school friend.

"I tell him all the time that he's my hero," Williams says. "The way he has maintained his integrity and his level of character makes me so proud. "

During her visits to the prison she can see the empty eyes of some of the other prisoners, men content to sit around "playing cards and smoking weed (yes, there are drugs in prison). Their zest for life is gone."

That's not Damion. When he's not exercising or on work detail or reading, she says, he's working on his appeal or contacting officials in an attempt to gain their support for the legislation that would ban the life without possibility of parole sentence for juveniles.

"Me and some of the others here who are part of the Second Chance project talk about how we'd like to one day start a nonprofit organization to help troubled teens," Todd says. "I want to move on with my life and be a responsible citizen, to give back to my community and my family and everyone who has supported me."

Damion was always a leader when they were in school, says Williams, and that hasn't changed. What has changed since those days is her determination to help her friend.

"As a kid at 17, you feel helpless," she explains. "But now, as an adult, as a taxpayer, as a productive citizen, I have the power, ability and resources to take care of something that I couldn't 20 years ago. I feel I can make a difference, and I want to see something done. I don't want just lip service."

"I'm not the same person I was 20 years ago," she adds.

Pushing for changes

On a cold, sunny afternoon in early December, a small group of people involved in the Second Chances project are meeting in the upscale Bloomfield Hills home of Ysabel Benejam.

Everyone here has a relative who was convicted of a crime while in their teens. And it's telling that most of the people here are African-Americans. According to the report *The Rest of Their Lives*, the rate for young blacks serving life without parole in Michigan is 12 times higher than for whites.

Nationwide, black juveniles are 10 times more likely to be sent away for life without parole than their white counterparts.

There's a lot of excitement. Prisoners have sent a box of small scrub brushes decorated with photos cut from magazines — movie stars, pop singers, athletes. The brushes will be sold to raise money for the effort.

Tracy Williams is here. So is Karl Clark, an automotive engineer and a cousin of Damion Todd's. The group is in contact with about 800 people who are supporting the effort to make the laws governing juvenile offenders more humane.

Under current Michigan law, which has been in place since 1996, the transfer to circuit (adult) court of juveniles 14 and older charged with crimes involving homicide, felony murder, arson or carjacking is completely at the discretion of prosecutors. LaBelle contends that prosecutors rarely send these cases to juvenile court.

In addition, juveniles of any age can be tried in juvenile court with what the ACLU describes as "adult-like proceedings" under a process called "designation." As explained in the *Second Chances* report, "If a designated youth is found guilty of first-degree murder, the juvenile court has three options: 1) commit the youth to a juvenile facility until age 21, 2) sentence the youth as an adult to mandatory life without parole, 3) suspend adult sentencing, send the youth to a juvenile facility and determine whether adult sentencing is appropriate at a later date." The third option is known as a blended sentence.

Reform legislation proposed by state Rep. Paul Condino (D-Southfield) and state Sen. Liz Brater (D-Ann Arbor) has been stalled in the judiciary committee of each house of the Michigan Legislature since being introduced last year. The legislation, as currently written, would be applied retroactively and cover those who committed their crimes up until the age of 18.

"These children have committed horrible crimes and must be held accountable for their actions," Brater said at the time. "No one is saying these individuals should get off with just a slap on the wrist, but locking them away forever ignores the fact that they could eventually become productive members of society."

With Democrats winning control of the House in November, Condino looks to be in line to take over chairmanship of the Judiciary Committee there.

"I am very positive we can shape something and move it through the House," Condino says. "After that, we can take the fight to the Senate."

But it won't be easy. There are politicians on both sides of the aisle who don't want to be perceived by voters as being "soft on crime." But that's not the case, Condino says. What the legislation would do is give judges some discretion.

What's interesting is that there seems to be a disconnect between those tough-on-crime politicians and most of their constituents. A survey conducted last year by the Wayne State University School of Social Work found that only 5 percent of the state's residents supported Michigan's current law regarding juveniles serving life without parole in adult facilities. "The majority believed 'blended' sentences that included both juvenile and adult sanctions were more acceptable," according to a report released by the school.

It went on to state: "Michigan residents are unequivocal in their belief that youths should be held accountable for their violent crimes, but that it should be in a manner that recognizes the physiological, psychological and emotional capabilities of youths, understanding that these capabilities differ from that of adults. These findings seem to support alternative sentencing arrangements and changes to Michigan's current policies and legislation."

"The public is much better at understanding this than the media and the legislators who want to get elected using notorious legislation," says U-M professor Rosemary Sarri.

The big questions

In his affidavit included in the ACLU petition alleging that sentencing juvenile offenders to life without parole is a violation of their human rights, Damion Todd, whose case is one of five highlighted, wrote: "At this point in my life (as well as many other juveniles that have spent most of their lives incarcerated) prison is now beyond punishment. I wasn't raised to hate, cheat, lie, misuse, bully and mistreat people like this abnormal environment encourages daily from staff members right down to prisoners. It works to break you down mentally, to make you become institutionalized. It tries to destroy your self-esteem, it tries to make you bitter at the world. ..."

After pointing out that, having spent 20 of his 37 years behind bars, he's already spent more of his life jailed than free, he states: "I have completed all of the requirements that have been recommended for me since I have been incarcerated and through self-examination and self-correction I can clearly see today as a grown man the mistakes I made as a youth. But will I never have a chance to show this or be released to be a productive citizen because I have been given a sentence of natural life with no possibility of parole for something stupid and foolish that turned out awful and tragic one night when I was a teenager? I believe I should be punished, but forever?

"I had no choice but to grow up and become a man while behind bars in prison. ..."

Having gone from youth to middle age locked up, will Damion Todd remain behind bars on into old age, with the only release awaiting him the one death brings? Or will the efforts of those pushing for a second chance alter that course?

As that's being debated, with the fate of more than 300 others hanging on the outcome, a question asked by Damion's friend Tracy Williams is likewise worth considering: "If the system we have can't rehabilitate a child, then what good is it?"

For more information about efforts to change Michigan's juvenile lifer law, see secondchancelegislation.org.

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STURGIS JOURNAL

Print this story

Kettles light

By MARGIE METZGER
STurgis Journal

Print Page

The need is high across western Michigan and northern Indiana, the kettles are out, and bell-ringers are braving the cold.

But the response has been lukewarm, as donations have trickled in much lighter than normal for the Salvation Army's Red Kettle campaign.

"There isn't really a slow time at The Salvation Army in terms of the human assistance we provide," said Major James Nauta, Divisional Commander of the Western Michigan and Northern Indiana Division. "There's always tremendous need in every community. But the holidays bring even more people than usual to our doors, seeking help and comfort during what is supposed to be the most joyous time of the year. The lull is very distressing."

"Our kettles are down by about \$5,000," said Captain Bill Brubaker, Sturgis Corps Officer. "It's been a tough year economically in our community and our kettles are reflecting it."



John Kelly, 5, of Topeka, Ind., makes a donation to the Salvation Army while Vicky Miller of Sturgis rings bells.

Seventy-nine groups or individuals have volunteered in St. Joseph and Branch counties to ring the bells for more than 700 volunteer hours.

"The number of volunteers has been fantastic. We set a goal of a 1,000 volunteer hours for kettles at the beginning of the season and we almost there," said Brubaker. "It's just the size of each kettle has been smaller than previous years."

Many of the 28 Salvation Army offices throughout the Western Michigan and Northern Indiana division have reported slower than normal donation income.

The Sturgis Salvation Army's goal for their annual Christmas campaign is \$135,000. As of Friday, only 32 percent of that goal had been raised.

Several factors that can be attributed to the slow down are misperceptions about the weather, a sluggish economy, and a spike in need compared to last year, said Betty Zylstra, director of the Salvation Army of Western Michigan and Northern Indiana's Booth Family Services.

"Because it's not freezing cold, snowing and miserable outside, there seems to be a belief that the most vulnerable people in our communities are doing OK. They're not. In fact, we have had more requests for food and holiday toys this year than we did last year," Zylstra said.

"We have already had 60 more families request holiday help than we served in 2005 request food and toys for Christmas," said Captain Iola Brubaker, Sturgis Corps Officer.

In addition, The Salvation Army has not been able to get some of the food items from the food bank this year for the Christmas food baskets.

"We are having problems getting enough peanut butter, jelly, rice, and stuffing mixes," said Iola Brubaker. "The community donates food all year long, but lately that has only been enough for the day-to-day requests in the pantry. I usually place a large order with the food bank in Battle Creek for the Christmas baskets, but they didn't have these items."

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Donations still needed for Christmas

Agencies still collecting items for local families

By Michelle Graves, reporter@ejourney.com
Gladwin County Record

GLADWIN COUNTY — Many local groups and organizations are still collecting items to be distributed to needy families in the county.

Fran Seebeck of Oak Outlet said the Toys for Kids program has already received a lot of nice gifts, but what is really needed at this point are gifts for boys and girls ages 11-15.

Some gift ideas for children in that age group are CD players, watches, hair dryers, curling irons, books, hair straighteners, hair products, bath products and tools.

“We appreciate it a lot. The gifts we’ve received have been phenomenal,” Seebeck said. “Thank you to everyone for the generosity, but there is still a need.”

Gifts can still be dropped off at McDonald’s, Oak Outlet, White Star Bar, Mr. M’s, or one of the following Chemical Bank branches - Beaverton, Gladwin, Stonehouse or White Star.

“There is no cut off,” said Seebeck. “We’ll take donations right up until Christmas. And, if people want to shop the sales after Christmas, we’ll take that and store it.”

All toys collected go to Michigan’s Department of Human Services (DHS), formerly Family Independence Agency.

Setup will take place Dec. 13-15 and distribution is Dec. 16.

“We get a surplus of dolls and baby things; we need things for adolescents like DVDs, GAME BOY games and gift cards,” said Dan Sheehan of DHS.

DHS usually serves about 600 children in the county, Sheehan said.

In addition to the toy drive, DHS will also distribute winter wear and bedding donated and collected by the Wooden Shoe Big Boys Club.

Doug Horstead of the Wooden Shoe Big Boys Club said the group already has quite a few items.

Anyone can drop off new or used items such as hats, coats, toys, bedding, boots and socks Dec. 13-15 from 9 a.m. to 4 p.m. at the K of C Hall on M-18, Horstead said.

The Big Boys Club will be on-hand Wednesday and Thursday to assist in setting up and getting ready for distribution.

Horstead said the Club has spent over \$500 from its own budget on bedding, socks, hats, scarves and coats.

Toys and winter wear aren't the only items needed, though. A few area organizations will distribute food baskets.

'Night of the Baskets' is Dec. 18. The Beaverton Lions will distribute food baskets to about 150 families and seniors in the Beaverton area.

The group is always accepting monetary donations, canned food, toys and cleaning products.

Gift certificates for the Helping Hands Outreach Mission on Brown Street in Beaverton are placed in the baskets in addition to food.

The Lions are assisted in distribution by the Boy Scouts.

Anyone who wishes to make a donation should call Glenn, Steve or Jeff at Schumacher Insurance Agency at 989-435-7715.

To request assistance for the holidays, call DHS at 989-426-3300.

Heading north, the Gladwin Goodfellows also put together food baskets for needy residents.

Baskets will be delivered Dec. 23, but donations can be made anytime, even after Christmas, said Virginia Berg of the Gladwin Goodfellows.

Monetary donations and food are accepted.

A lot of the food in the baskets is from the Gladwin Junior High School food drive, Berg said.

To donate to Gladwin Goodfellows, call Berg at 989-426-9001.

"We appreciate everything people give," she said.



ourMidland.com
from the Midland Daily News

12/12/2006

Midland-area 'elves' deliver

By [Kathie Marchlewski](#)



Daily News/JESSE OSBOURNE

Christmas carols play over the hum of busy workers as volunteers walk past piles of gifts in the parish hall at Blessed Sacrament Church Monday morning during the dropoff day for the Sharing Tree. Sixty-six agencies and schools were represented.

It took more than 300 elves -- er, volunteers -- to gather up the thousands of gifts Midland bought to share for this year's annual Sharing Tree Program.

At Blessed Sacrament Church Monday, trucks, vans, cars and trailers brought bags and boxes, which were unloaded by men in Santa caps and passed along to checkers, who made sure they contained what they should. Finally each package made its way to its receiving agency, which will deliver them to their final destinations before Christmas.

Sharing Trees will remain up at the Midland Mall, Wal-Mart and Kmart, with branches bearing white tags for year-round agency needs.

"People can still fulfill late requests," said Pat Pashak, community program director at the United Way Volunteer Center, which organizes the program.

And there are still a lot of requests to be filled.

For those that don't get filled in time for Christmas "we will be going out and shopping," Pashak said.

There are at least 200 special requests that weren't selected from trees and more than 500 tags that were selected, but gifts haven't been returned. "If we don't get them by Thursday, we'll have to shop for them," Pashak said. "We need to get the gifts to the agencies so they can get them to people."

Gifts can still be dropped off at the mall customer service desk, or at the Volunteer Center's Strosacker Building office.

Advertisement

And despite the remainders, the program again was an overwhelming success, with thousands in need getting gifts, and agencies themselves stocking up on things they can use all year long. The program provides an added boost to the level of service each non-profit can provide.

Along with gifts for children and adults who come to the North Midland Family Center, the center also requested basic necessities that it can offer after the holidays.

"With the economy the way it is, there's a lot of need out there," said Executive Director Linda Clark. As she looked around at Monday's activity and all of the gifts rolling in, she called it "amazing."

"This is the true meaning of Christmas," she said.

Along with books, the Literacy Council of Midland County also requested Dial-a-Ride transportation tickets. "We give our learners two tickets," said Allen Richard, executive director. "They get one to get here and one to get back. I think it really has helped attendance."

At Big Brothers and Big Sisters, little sisters and little brothers will be getting clothes, toys and games this year, thanks to the Sharing Tree. Office manager Anne Merritt said shoppers were especially generous this year, both to children and to the agency. The agency had asked for new games for its mentors to play. One of the favorites is "Sorry." "We asked for four and we got 20," Merritt said.

Other agencies were also amazed at shopper's generosity. At Midland County's branch of the Michigan Department of Human Services, one client asked for some tools. What they will get is a \$200 gift certificate from Sears. The agency also received three bicycles and piles of other toys and requests.

"It's awesome," said Dan Sheehan, community resource coordinator. "I think all of our requests are going to be filled." The department itself also asked for items to use before and after the holidays, such as duffel bags, socks and underwear for children who are being taken to foster care. "This way, they don't have to put their things in a plastic garbage bag," Sheehan said.

Sixty-six agencies in all receive gifts from the Sharing Tree, and will pass out items in the upcoming weeks to thousands of clients.

For some, the one gift they will get will be the only one. Senior Services requested gifts such as lotions, sweaters, pajamas, blankets and robes on behalf of the people it serves, and also things like gas cards, which can be used for seniors who need to get to a medical appointment or to the grocery store.

Some Senior Service clients, Karen Petros, a volunteer, said, have outlived friends and don't have family. "When you get into that situation, it really is the only gift they get," she said.

The United Way Volunteer Center still is accepting white tag gifts and cash assistance that can be used for shopping for unfilled requests. For more information, call (989) 631-7660.

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Center to serve needy as Flushing-area churches join forces

FLUSHING

THE FLINT JOURNAL FIRST EDITION

Tuesday, December 12, 2006

By Beata Mostafavi

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FLUSHING - For decades, local residents sought haircuts and manicures at the tan bi-level house in a historic neighborhood.

But the seven pastors who have been roving the former site of Gussie's Hair Salon near downtown aren't looking for beauty services - they're the ones who want to give a makeover.

The seven churches are working to transform the one-time landmark salon into the Flushing Christian Outreach Center, apparently the area's first central hub for food, clothing and human services to people in need.

"There are just so many job losses," said Verna West, a General Motors retiree who has lived in the site's neighborhood for nearly 30 years and hopes to volunteer at the new center.

"It was a dental office, then a beauty salon, and this is even better. I think it's a wonderful time for this because the need is so great."

Coincidentally, the site plan for the center comes after a recent Michigan Department of Human Services report that indicated a big rise in federal food assistance in the county due in part to increasing unemployment rates.

The new Flushing agency would centralize services from different churches. For example, St. Robert Catholic Church's food pantry and Flushing United Methodist Church's clothes closet soon will be housed here.

Names of local churches that offer such programs as divorce recovery and free basketball also will be available.

Meanwhile, some neighbors are worried about how the new agency will affect the quiet neighborhood surrounding the location at 201 N. McKinley Road.

"There's no question the program is a good program, but I do have some concerns," said Elaine Mugan, who lives next door. "Some (parts of the plan) are slightly ambiguous."

Mugan was among a handful of people who went to a public hearing on the site plan this month to question operations at the site.

Major concerns included traffic for pick-ups and deliveries at the facility and strangers drawn to the site.

The city Planning Commission set several conditions for the plan, which include requiring parking at two nearby churches to prevent people from parking in driveways and the street.

Don Stevens, a St. Robert parishioner and president of the center's board of directors, said the agency

QUICK TAKE

New center

- What: Flushing Christian Outreach Center, 201 N. McKinley Road, Flushing

- opening: Jan.16

- Churches involved: Holy Cross Lutheran Church, Flushing Community Church of the Nazarene, Westside Baptist Church, St. Robert Catholic Church, Mt. Zion Catholic Pastoral Center in Montrose, Flushing United Methodist Church and the New Wine Anglican Mission

must operate between 8 a.m.-7 p.m. by appointment only and serve no more than 10 people per hour.

The volunteer-run, nonprofit center will start out by staying open just once a week, and church members expect to serve about 60 families a month, mostly from the Flushing area.

Stevens said area churches came together last year to discuss ways to offer all their services in one place and act "as one church."

"The mission of the agency is to respond to physical, spiritual and emotional needs of residents," he said. "We're going to serve people who need it, no matter what it takes."

"As we are in a residential neighborhood, we certainly want to respect the peace and quiet. We are flexible in doing what the community asks us to do."

If everything is approved through the city, church members plan to open the agency Jan.16.

Gussie's closed in September. The property was purchased by the Flushing Council of the Knights of Columbus and given to the Catholic Diocese of Lansing, which then leased it to the outreach agency in Flushing.

Leaders hope donations and grants will help pay for an estimated \$40,000 needed to renovate the building and bring it up to code.

City Manager Dennis Bow said the center's services already have been offered in the community, but never in one place.

"They've been doing this in a splintered way before, and now it's more cohesive," he said. "There are a lot of people in this area who, at various times in their life, have been down on their luck."

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